

〈論文〉

Dynamics of Transnational Policy-Praxis Learning Processes: Implications for Global Human Rights' Advocacies トランスナショナルな政策・実践学習プロセス— グローバルな人権アドボカシーへの影響

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Abstract

This examines the policy and praxis learning processes of, between and among, international governmental organizations (IGOs) and international non-governmental organizations (iNGOs) in promoting human rights. It examines with focus on that, (in the last decade,) there is an emerging regime for consultation, as well as policy (praxis) learning, targeting for social development. It addresses the specific forms and modes of the paralleling process of IGOs' inter-agencies learning and iNGOs' praxis for the promotion of human rights in general, economic, social and cultural rights in particular, highlighting the "human rights for all", the international norms and values formation for social and sustainable development.

概 要

本論文は、人権促進における、国際政府機関（international governmental organizations(IGOs)）と国際非政府組織（international non-governmental organizations(iNGOs)）との間の政策・実践学習プロセスを検討するものである。ここ10年の間に、社会的発展に的を絞ることによって、政策（実践）学習だけでなくコンサルティング業務も行う体制が整いつつあるということに、焦点を当てて考察する。本論文は、社会的かつ持続可能な発展のための国際的な規範と価値の構築である「すべての人のための人権」を強調することによって、人権一般の促進、特に経済的・社会的・文化的権利のためのIGOsの組織主体相互間の学習過程とiNGOsの実践とのパラレルな形態を扱う。

Keywords : Economic, Social and Cultural Rights, Human Rights, International NGOs, Policy Learning, United Nations.

キーワード：経済的・社会的・文化的権利、人権、国際NGO、政策学習、国際連合

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1. Praxis and Policy Learning as Social Innovation

Praxis is the good integration of theories and practices – the most appropriate mode and form of good policy and its governance!

For the last two decades, there is an emerging trend for policy learning internationally, with the transnationalization of policy innovations by governmental agencies, juxtaposing the so-called ‘best praxis’ learning by social agencies, non-governmental organizations (NGOs) in particular. International governmental organizations (IGOs), like IMF, the World Bank and the United Nations, the regional IGOs like the European Union and APEC, as well as functional groupings like the OECD, have been instrumental for such cross-border or transnational policy learning (Stone 2004). Whilst for NGOs, the related learning is derived from the networking consequences of local and international (i)NGOs, under the positive offerings of the advanced application of communication technologies (the Internet and mobile phone, say the least), which facilitate the frequent exchange of praxis information and knowledge, among and between social activities (Lai 2004a/b, 2008). This short brief will discuss the processes of policy-praxis learning, and to examine the implication for the consequences of such development for human rights in a globalizing world.

The policy learning – and its mirror-image of the paralleling praxis learning by NGOs – has been instrumental in shaping the world view of policy (or praxis) stakeholders, particularly their ideas and framework to comprehend any policy initiatives-cum-

social innovations that:

Learning can lead to the development of ‘consensual knowledge’ by specialists and epistemic communities about the functioning of state and society which is also accepted as valid by decision-making elites. When consensual knowledge is developed at a transnational level, the potential exists for the exchange of ideas providing impetus for policy transfer. Learning via regional or global networks helps to promote an ‘international policy culture’, but it is not automatically the case that learning will institutionalize in international organizations or in national governments. Learning is uneven and imperfect across different actors within a policy network. Certain actors may have a greater capacity for learning whereas others may adopt lessons for symbolic purposes or as a strategic device to secure political support rather than as a result of improved understanding (Stone 2004, pp.548-49).

Coupled with the informatization of knowledge, there is a broadening and deepening of knowledge, focusing on policy and praxis for social innovations. More strategically, the transnational policy learning process is becoming a norm and integral part for any policy formulation in both developing and developed nations; and perhaps more structurally for social innovations in the public domains, the policy ‘best praxis’ learning has been embedding into social development project. In short, the policy learning sector is becoming one of the key players for the industrialization of knowledge (as an industry in the informational age), and it is a mutual referential

Figure 1: Three Modes of Policy Learning

	<i>Ideational</i>	<i>Institutional</i>	<i>Networks</i>
Who? Agents of policy transfer	Business advocates, think-tanks, experts, professional associations	Politicians, international civil servants, state officials	Multi-actor; trisectoral: NGOs/civil society; state and international agencies; business
What is transferred?	Soft: Ideas, paradigms, lessons. Problem definition and policy interpretation	Hard: Instruments, legislation, policy approaches	Hard and soft
Authority basis	Epistemic/normative	Political/bureaucratic', 'de jure'	Collective: Pooled responsibility among 'stakeholders'; 'de facto'
When? Factors prompting re-evaluation of policy	Uncertainty, crises. New knowledge	Institutions refract pressures for change; slow to adapt	Intractable cross-border policy problems, absence of national responsibility
Character of search	Rational, innovative, goal-oriented	Path dependent, incremental	Problem-solving, organic (initially) as goals unclear
Lessons taken from where?	Best exemplars in public sector, market-place and civil society	Dominant institutions; psychologically proximate jurisdictions	Experience of network members; i.e. network bounded rationality
Lessons realized where in the policy process?	Problem definition and agenda-setting	Decision-making; resource allocation; implementation	Implementation, service delivery and monitoring
Lessons applied/implemented where?	In 'borderless' professional communities and social movements	In nation-states, multilateral venues	Between and above states; transnationally via networks
Language	Transfer, 'cosmological heritage', norms	Diffusion; mimetic isomorphism	Collective action; multilateralism

(Source: Stone 2004, p.562)

industry among academic-research-applied policy-praxis sciences, which can be characterized by Diane Stone's Framework (2004, p.562):

The burgeoning of policy learning as knowledge industry is further boosted by the advanced application of information and communication technologies (ICT) – that informational spaces for policy learning have been extending beyond geo-social scales, for both real and virtual communications (Katz, ed. 2008).

2. Dynamics of Transnational Policy-Praxis Learning

Social agencies and their (electronic-) mobilizations in transnational advocacies networks (TAN) represent the praxis learning dynamics and processes. More specific, it is not just the knowledge sharing per se

through various face-to-face and mediated communications, but the actual involvement, or the critical engagements of social agencies, both for veteran and novice activists, in various localized and globalizing campaigns and protests. All these create informational spaces for policy learning.

More specific, the praxis of transnational advocacies network (TAN), succinctly discussed by Keck and Sikkink (1998, 1999) and recently explored in depth by Piper and Uhlin (Eds., 2004), is firmly established and embedded in the new communicative flows of the new media and the identity politics of social activists within and outside the cyberspaces. Cyberpolitics challenges the traditional political establishment as well as the behavioural repertoire of political actors (IDEA 2001, Goldstein IDEA 2001; Goldstein and O'Connor 2000; Hick et al. 2000; Hick and McNutt 2002; Stefik 1999).

It has been rightly pointed out that the new media not only has a strong impact on global politics, but also has become the weaponry of individuals and groups who have been excluded from traditional mass media making (Thompson 2005):

In this new world of mediated visibility, the making visible of actions and events is not just the outcome of leakage in systems of communication and information flow that are increasingly difficult to control: it is also an explicit strategy of individuals who know very well that mediated visibility can be a weapon in the struggles they wage in their day-to-day lives. Once again, the war in Iraq provided us with countless reminders of this fundamental truth: the macabre beheadings carried out by (among others) Abu Musab al-Zarqawi's Tawhid and Jihad group, videoed and shown live on the Internet and then recycled with varying degrees of explicitness through the mass media of television and the press, are only the most dramatic illustration of a new political theatre that is played out in the world of the media, where spatial distance is irrelevant, communication instantaneous (or virtually so) and – especially with the rise of the Internet and other networked media – the capacity to outmanoeuvre one's opponents is always present. (Thompson 2005, pp.31-32)

Similarly, James N. Rosenau (1997, 1998) in his seminal work, *Globalized Space*, stresses that the new media and their networking capacities are one of the functional equivalents of democratic governance where transnational issues are beyond the control of

the nation state as well as a state-sponsored institutionalized regime, such as the UN:

The widespread growth of the Internet, the World Wide Web and the other electronic technologies that are shrinking the world offers considerable potential as a source of democracy... by facilitating the continued proliferation of networks that know no boundaries, these technologies have introduced a horizontal dimension to the politics of *Globalized Space*. They enable like-minded people in distant places to converge, share perspectives, protest abuses, provide information and mobilize resources – dynamics that seem bound to constrain vertical structures that sustain governments, corporation and any other hierarchical organizations. (Rosenau 1998, p.46)

David Held's (1998, 1999) theory of 'Cosmopolitan Democracy' argues that in a world of overlapping communities of fate, Cosmopolitan Democracy is the creation of new political institutions and a diversity of NGOs in global civil society, with the democratic principle and praxis of broad access to avenues of civic participation on national, regional, and international levels. More specifically for our discussion here, TAN is the new wave for the democratization process aided by new electronic communication technology through various forms of electronic-mobilization.

Here, the ideas (and ideal) of human rights or the questions it focuses on of liberty, open society, socio-economic and cultural rights, progressiveness and democracy's extension beyond the nation state in

terms of the articulation of international (humanity's) norms and justice call for a more open and participatory regime of global governance. This echoes the ideas of international civil societies and social movements for global and local justices (Archibugi and Koenig-Archibugi 2003). These movements are multi-dimensional, ranging from local human rights to global environmentalism (Hick, et. al. 2000; Lai 2008, Piper and Uhlin, Ed. 2004). In all, the extending informational spaces help the advocacies for human rights at various geo-social domains.

3. Best Policy-cum-Praxis Learning with Human Rights Advocacies

INGOs have been increasingly instrumental in re-shaping policy formulation and development in the 21st century. Their pursuits are likely in four distinct yet inter-related arenas, namely, policy creation and

modification, monitoring, enforcement and implementation, and service provision and capacity building (Christensen 2006, see Fig.2 below):

Historically, IGOs set the background and framework for discussing human rights, or human rights in the course of socio-economic development. For this, international and global summits, conferences and symposia organized by IGOs and IFIs become the targets for iNGOs mobilizing work and demonstrations, challenging the established rule and way of governance of the global order. We are witnessing the conglomeration of IGOs and iNGOs in global summits like G8 meeting, World Bank and UN Summits and alike, with confrontational protests and demonstrations outside, yet heated debates within, the conference venue (Abe and Lai 2005). Hence, iNGOs and their networks serve as:

- Focal point, platform and network for information gathering and research required to challenge, as

Figure 2: iNGOs' Impacts on and Implications for Policy Innovations

INGO Pursuit	Description	Example	World Paradigm and Policy Learning Implications
Policy creation and modification	INGOs that work to establish new policies and institutions, or change extant policies and institutions.	Those INGOs involved in establishing the International Criminal Court.	Affirms a global paradigm and suggests that policy learning reaches beyond "cross-national" constructs when non-states create and modify state policy.
Monitoring	INGOs that monitor nations' activities, usually limited to a particular substantive area like environmental issues.	INGOs like Amnesty International involved in monitoring and reporting human rights issues.	Implications for world paradigm and policy learning depend on whether information is used in conjunction with (Westphalian paradigm), or to compromise (Global paradigm), state sovereignty.
Enforcement and implementation	INGOs that seek or are granted power to implement and enforce policy.	INGOs like IUCNNR given authority to implement environmental policy.	Affirms a global paradigm and suggests that policy learning reaches beyond "cross-national" constructs when non-states enforce and implement policies that may be intervene in a nation's policy agenda.
Service provision and capacity-building	INGOs that provide services or seek to build state capacity.	Lindenberg and Bryant (30) noted the seven-fold increase in monies handled by development/ capacity building organizations over the last decades.	Effects on world paradigms are likely to be indirect at most. Note that the definition of capacity building subjugates the mission and agenda of the nongovernmental organization to those of the state.

(Source: Christensen 2006, p.293)

well as creating new policy, for human rights, like Human Rights Watch.

- Foundation for articulating particular human rights (abuse) issue: like the Amnesty International, for example, has a large monitoring component to challenge human rights abuse, on individual and collective case(s).
- Mobilizing agencies for articulating various forms and modes of confrontational protests and demonstrations, targeting to IGOs and against their allies of Transnational Corporations (TNCs).
- With good local supports, iNGO activities can reshape the contours (for the benefits of human rights) for national policy or constitutional domain, which are more likely to promote a shift in the worldview towards global society (Christensen 2006).
- Facilitating agency for transnational advocacies and communication networks in pushing local, regional and international government bodies to react to human rights abuse.

Taking the studies on iNGOs (Christensen 2006, Roth 2004, Tsutsui and Wotipka 2004) and coupling our previous discussions, it should be highlighted that the importance of iNGOS influences in: firstly, shaping policy process in international, national and local level, by offering alternative perspectives and logics for socio-developmental course; secondly, moving the human rights concern beyond a particular geo-political space, to the global level, shaping global norms, politicking and law governance for human rights; thirdly, legitimizing non-state actors (iNGOs) as global monitor and adjudicator for human rights; last but not least, they provide much for cross-national policy learning – the

dynamics behind such a shift is significant for its potential to affect political efficacy and accountability in both moral and ethical terms.

Whilst for IGOs, two ways of intervention are important to note; namely the call (lip-service?) for human rights and the development fund (mostly by UN and World Bank, as well as bilateral funds) for developing countries. For the advocacies side, statements or declarations on human rights without the political, economic, or military sanctioning power are mostly ineffective to reshaping the course of human rights abuse: the genocides prior to international intervention at Sarajevo, Rwanda and Darfur demonstrate this clearly.

On the other hand, with reference to the governance (inclusive for human rights) issue for Chad, the receiving country for World Bank's funding, Horta (2002) noted that the situation in Chad and so many other countries shows that money is not the answer, but rather is frequently at the root of the problem. In other words, international development funding often strengthens the hands of an authoritarian government, and hence, more human rights abuses; and eases pressure within the country for policy changes towards a better society. This observation echoes many NGOs protests that development funds reinforce human rights abuse and reduce development potential for better alternatives: legitimizing the authoritarian regime and its abuses on human rights. Perhaps, development funds and corporation are part of the sin against human rights (Darrow and Tomas 2005).

In spite of the obvious inadequacies of IGOs

intervention in promoting human rights through development initiatives, the exposure of the related mis-management of human rights issues in/with development works by iNGOs (an important aspect of policy learning) has been beneficial to further fine-tuning of IGOs' programs and initiatives for developing countries. For the inter-agencies and inter-iNGOs policy learning in the last decade, there is an emerging regime for consultation, as well as policy learning processes, between and among iNGOs and IGOs, targeting to those nation state's agencies for improving human rights.

Their synergetic effects, though in some instances overshadowed by confrontational conflicts, are moving into consensus for not just human rights in the basic form, but also economic, social and cultural rights in particular, highlighting that the project for "human rights for all" is much shaped by, as well as shaping, the international norms and values formation for social and sustainable development.

4. Consensus Building for Global Norms: *Human Rights for All*

The new media are instrumental in various stages of policy-cum-praxis (re-)discovery for the most appropriate ones. More often than not, individual's chat room or discussion list enables people to communicate and (social) learning from each other. Obviously, this is the discovery of new knowledge on social development (not least, the human rights) issues, and the building up of the group shared meaning – and capacity building process for social agency at various geo-social scales.

Cyberspace, facilitating communicative policy-praxis learning, is an embryo for global civil society, so does for the best and appropriate transnational policy-cum-praxis learning. Using ICT for policy-praxis learning, in addition to the e-mobilization (e.g., cyber-protests or campaigns), has strategic-communicative advantages for facilitating the speak-up, act-out and alliance formation in human rights advocacies by those being victimized by the mainstream pro-growth development model. Recent militant protests at the venues (the latest one is the G8 in Genoa, Italy, July 2001) of the EU, the G8, the IMF, the WTO, and World Bank summits have been forcefully articulating the fundamental contradictions between the haves and have-nots, and visualizing the exposing socio-economic fault-lines between the rich and poor, the developed and underdeveloped worlds. The rights to voice! Representing the victims, potential victims, as well as the advocacies for *Human Rights for All* at large, iNGOs have sharpened the demands for global justice and norms for human development. How to enhance the advantages of cyberactivism, in the global, transnational advocacy networking, with differences and diversities will be the testing case for social development (cf. Lai 2004a/b, 2006, 2008).

Glocal responses against the human rights abuse are increasingly 'broadcasting' to global mass media and the mediated cyberspaces – thanks to the internationalization of advocacies networks and the iNGOs' appeals are more than visibly seen on mass and cyber-media (Lai 2004a/b, 2006, 2008). More specifically, in the last decade, perhaps because of the partial failure of IGOs and IFIs initiatives on promoting human rights at global and local (glocal) levels, iNGOs' global movements have been

targeting against IGOs and IFI. Yet, the latter group has been realizing the potential contribution from iNGOs, in shaping participatory human rights movement at societal and community levels (Lai 2006). More fundamentally, it is the increasing importance of iNGOs in global affairs; this can be seen from the burgeoning growth of iNGOs, as well as their diversification of services and advocacies

For this, the calling by a recent UN report entitled: *In Larger Freedom: Towards Development, Security and Human Rights for All* (UN 2005) is right that the world must further advance the causes of security, development and human rights together, otherwise none will succeed. Humanity will not enjoy security without development, it will not enjoy development without security, and it will not enjoy either without respect for human rights.

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